

DETAILED ACTION

Claims 18-33 and 43-64 are pending in the instant application. Claims 1-17 and 34-42 are canceled.

Response

Applicant's terminal disclaimer, remarks and amendment to the claims filed on 02/4/2008 are acknowledged. The rejections made in the previous office action are withdrawn.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

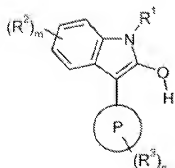
Authorization for this examiner's amendment was given in a telephone interview with Attorney Kenneth F. Mitchell on 2/14/2008.

The application has been amended as follows:

Delete claims 18-33 and 43-49. These claims are directed to non-elected subject matter.

Reasons for Allowance

The present invention is directed to indole compounds of formula (I),



, depicted in claim 50. The closest prior art of record is copending

U.S. Pat. App. No. 10/572,778. A timely filed terminal disclaimer has been filed in this application to overcome the obviousness type double patenting rejection.

Telephone Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susannah Chung whose telephone number is (571) 272-6098. The examiner can normally be reached on M-F, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph McKane can be reached on (571) 272-0699. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SLC

/Joseph K. McKane/
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